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| 10/730,914 | 12/10/2003 | Paul Unbehagen | E071 1010.1 | 6707 |

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WOMBLE CARLYLE SANDRIDGE & RICE, PLLC
ATTN: PATENT DOCKETING 32ND FLOOR
P.O. BOX 7037
ATLANTA, GA 30357-0037

EXAMINER

DINH, KHANH Q

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2151

| MAIL DATE | DELIVERY MODE |
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06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|---------------------------------|--|
| Office Action Summary | Application No. 10/730,914 | Applicant(s) UNBEHAGEN, PAUL | |
| | Examiner Khanh Dinh | Art Unit 2151 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Araujo et al, US pat. No.6,920,502.

As to claim 1, Araujo discloses a system for managing a plurality of managed servers, wherein each managed server executes a server agent, said system comprising:

a client computer (10 fig.1) having an interface for selecting a first service and one or more of the managed servers (70 fig.1) (see abstract, fig.1, col.13 lines 13-53); and

an agent manager coupled to said client computer for requesting a first file from said selected managed servers that correspond to the first service, and for receiving a modified first file from said client computer and instructing first server agents that correspond to the selected managed servers to perform file modifications based on the modified first file (see fig.14, col.13 line 54 to col.14 line 44 and col.38 line 46 to col.39 line 17).

As to claim 2, Araujo discloses a management database coupled to said agent manager for storing configuration information of the plurality of managed servers (see col.15 line 46 to col.16 line 42 and col.24 lines 7-27).

As to claims 3-5, Araujo discloses said agent manager is executed on a management computer and client computer and wherein said interface displays a first set of managed servers that are configured to run said first service in response to said selection of said first service (see fig.14, col.13 line 54 to col.14 line 44).

As to claims 6 and 7, Araujo discloses that the plurality of managed servers execute a Linux operating system and a UNIX operating system (see col.22 lines 13-36 and col.42 lines 31-59).

As to claims 8 and 9, Araujo discloses that said displayed first set of managed servers are grouped based on a first parameter and said agent manager instructs said first server agents using messaging (see col.15 line 46 to col.16 line 42 and col.24 lines 7-27).

As to claim 10, Araujo discloses that the modified first file is a modified configuration file corresponding to the first service (see fig.20, col.38 line 46 to col.39 line 17).

As to claim 11, Araujo discloses a method of managing a first plurality of servers, said method comprising:

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receiving a selection of a service to manage and in response to said selection, displaying a second plurality of servers that are configured to run the service (see abstract, fig.1, col.13 lines 13-53);

receiving a management task and initiating a revision of a file in at least one of the second plurality of servers to implement the management task (managing tasks between servers, see fig.14, col.13 line 54 to col.14 line 44 and col.38 line 46 to col.39 line 17).

As to claim 12, Araujo discloses receiving a selection of the at least one of the second plurality of servers (see col.15 line 46 to col.16 line 42 and col.24 lines 7-27).

As to claim 13, Araujo discloses displaying a graphical user interface that displays a plurality of services and the second plurality of servers (see col.15 line 46 to col.16 line 42 and col.24 lines 7-27).

As to claim 14, Araujo discloses initiating the revision comprises messaging a modification of the file to server agents corresponding to the second plurality of servers (see fig.20, col.38 line 46 to col.39 line 17).

As to claims 15 and 16, Araujo discloses the first plurality of managed servers execute a Linux operating system the first plurality of managed servers execute a UNIX operating system (see col.22 lines 13-36 and col.42 lines 31-59).

As to claims 17 and 18, Araujo discloses said displayed second plurality of servers are grouped based on a first parameter and receiving an indication of success of the modification of the file from the server agents (see col.15 line 46 to col.16 line 42 and col.24 lines 7-27).

As to claim 19, Araujo discloses a method of managing a plurality of managed servers, wherein each of said servers executes a server agent, said method comprising:

receiving a selection of a service and at least one of the plurality of managed servers (see abstract, fig.1, col.13 lines 13-53);

receiving a configuration file of the service from each of the selected plurality of managed servers and initiating changes to the configuration file on the selected plurality of managed servers by the server agents (managing tasks between servers and client, see fig.14, col.13 line 54 to col.14 line 44 and col.38 line 46 to col.39 line 17).

As to claim 20, Araujo discloses displaying on a graphical user interface a list of managed services and corresponding managed servers (see fig.20, col.38 line 46 to col.39 line 17).

As to claim 21, Araujo discloses initiating changes comprises messaging a modification of the configuration file to the server agents (see fig.20, col.38 line 46 to col.39 line 17).

As to claim 22, Araujo discloses receiving an indication of success of the changes from the server agents (see col.15 line 46 to col.16 line 42 and col.24 lines 7-27).

Conclusion

5. Claims 1-22 are rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U. S. C. Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450



KHANH DINH
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100